

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BLOCKCHAIN MINING SUPPLY AND)
SERVICES LTD.,

Plaintiff,

vs.) Civil Action No.
18-cv-11099-ALC

SUPER CRYPTO MINING, INC.

n/k/a DIGITAL FARMS, INC.,)

and DPW HOLDINGS, INC. n/k/a

AULT GLOBAL HOLDINGS, INC.,)

Defendants.)

-----)

REMOTE VIDEO-RECORDED DEPOSITION OF

MILTON "TODD" AULT, III

AS 30(b)(6) REPRESENTATIVE OF

DEFENDANT DPW HOLDINGS, INC.

N/K/A BITNILE HOLDINGS, INC.

Las Vegas, Nevada

Thursday, January 12, 2023

Esquire Deposition Solutions, LLC - Firm Number 008F

Reported by:

JANET C. TRIMMER, CCR, RPR, CRR

JOB NO. 221153

1 Milton "Todd" Ault, III

2 A. It is a phone number I have, yes.

3 Q. And is it your understanding that these are
4 texts that you exchanged with Mr. Tencer?

5 MR. VOLYNSKY: Objection. Form.

6 A. Looks like it.

7 Q. If you look at the top, these are e-mails
8 from around May 3rd of 2018, and you say:

9 "I am seriously with my banker." "Let
10 me close the cash." "I need to finish."

11 Do you recall what banker you were talking
12 with at that point?

13 MR. VOLYNSKY: Objection to form.

14 A. What banker was I talking with then? I don't
15 know.

16 Q. Okay. I mean, if we go further down in the
17 chain, on May 3rd you say:

18 "I am at dinner with the lender. I will
19 text you when done. I promise will wrap up
20 by Friday."

21 Does that help you at all in terms of
22 identifying the banker?

23 MR. VOLYNSKY: Objection to form.

24 A. No, not really.

25 Q. If you look at the next page, 1341, there's

1 Milton "Todd" Ault, III

2 actually a photograph that it appears you texted, and
3 I'm wondering if you are able to recognize the person
4 who is shown in that photograph.

5 A. I do recognize her.

6 Q. Who is that?

7 A. That's Mariah Corbett.

8 Q. So Ms. Corbett is an employee of DPW?

9 A. She was my assistant at the time. She's no
10 longer an employee.

11 Q. Is the banker that you were apparently having
12 dinner with shown in the photograph?

13 MR. VOLYNSKY: Objection. Form.

14 A. I don't know who's with me there. I don't
15 know where that's at.

16 Q. And you say underneath it, "So you don't
17 think I am nuts."

18 Do you have any recollection of what you
19 meant by that?

20 MR. VOLYNSKY: Objection. Form.

21 A. I was probably telling him that I'm working
22 on it and I wanted to send him a picture saying, hey,
23 I'm working on it, I'm not crazy, here I am, I guess.

24 Q. But there is nothing in that picture that
25 helps refresh your recollection as to where you were

1 I JANET C. TRIMMER, Registered Professional
2 Reporter, Certified Realtime Reporter, and Nevada
3 Certified Court Reporter No. 864, do hereby certify
4 that prior to the commencement of the examination,
5 MILTON "TODD" AULT, III, was duly remotely sworn by me
6 to testify to the truth, the whole truth and nothing
7 but the truth.

8 I ALSO CERTIFY that the foregoing is a
9 verbatim transcript of the testimony as taken
10 stenographically by me at the time, place and on the
11 date hereinbefore set forth, to the best of my
12 ability.

13 I FURTHER CERTIFY (1) I am not a relative,
14 employee or independent contractor or counsel of any
15 of the parties; nor a relative, employee or
16 independent contractor of the parties involved in said
17 action; nor a person financially interested in the
18 action; nor do I have any other relationship with any
19 of the parties or with counsel of any of the parties
20 involved in the action that may reasonably cause my
21 impartiality to be questioned.

22
23 

24 JANET C. TRIMMER

CERTIFIED COURT REPORTER NV 864 - Firm Number 008F

25 Dated: 01-18-2023 Esquire Deposition Solutions, LLC

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